

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

STATE OF MARYLAND, *et al.*,

Plaintiffs,

v.

CORPORATION FOR NATIONAL AND
COMMUNITY SERVICE, *operating as*
AMERICORPS, *et al.*,

Defendants.

No. 1:25-cv-01363-DLB

STATUS REPORT

Defendants respectfully submit this status report in accordance with the Parties' Joint Status Report, entered on June 20, 2025. *See* ECF No. 152 ("Joint Status Report"). Under the terms of the Joint Status Report, Defendants agreed to provide guidance to Plaintiffs' Service Commissions regarding how to reactivate their AmeriCorps programs and specifically to:

Issue public guidance no later than 11:59 pm Eastern Time on June 27, 2025, that instructs State Service Commissions how to reinstate members who were exited as a result of the April 25, 2025 program terminations, and specifically addresses when and how (i) AmeriCorps members will be reinstated promptly; (ii) AmeriCorps members will be paid the full value of their living stipends; (iii) AmeriCorps members will be paid the full value of their Segal AmeriCorps Education Awards; and (iv) the National Civilian Community Corps will be reactivated[.]

Joint Status Report at 2.

The Joint Status Report also directed that Defendants shall "[f]ile a status report on the Court's electronic docket no later than 11:59 Eastern Time on June 27, 2025, that attaches the public guidance described above[.]" *Id.*

Consistent with that agreement, the Defendants issued the guidance to Plaintiffs' Service Commissions on June 26, 2025, and posted the guidance on its website at

<https://perma.cc/9MRX-JF9R> on June 27, 2025. A copy of the public guidance sent by Defendant agency is attached hereto. *See Exhibit A.*

Dated: June 27, 2025

Respectfully submitted,

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EXHIBIT A



June 26, 2025

AmeriCorps State and National Court & NCCC Order Compliance FAQs

AmeriCorps offers the following FAQs to assist State Service Commissions (and their subgrantees) and National Direct grantees in restoring programs in “plaintiff states” to the status quo prior to the April 25, 2025 grant terminations and returning to service the AmeriCorps members serving on those programs as of the date of those grant terminations who are willing and able to return. State Service Commissions should share these FAQs with their subgrantees as appropriate.

“Plaintiff states” are Maryland, Delaware, California, Colorado, Arizona, Connecticut, District of Columbia, Hawai’i, Illinois, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and Wisconsin.

ASN FAQ

How will members be reinstated?

ASN members who were exited due to the April 2025 grant terminations, and not transferred to other programs, will be reinstated in eGrants by the Agency (AmeriCorps). The Agency will reinstate these members no later than July 9, 2025. The April 2025 exit will be removed from the member record.

How will I know if members are willing and able to return to service?

Programs are strongly encouraged to contact all members who were exited due to program termination to ascertain whether they are willing and able to return to service. Programs should give members a deadline of August 1 to respond. (This uniform deadline will assist in tracking members’ status).

What happens if members are willing and able to return to service?

Programs should reengage these members in service, according to their original term of service, as soon as possible.

What benefits should members who returned to service receive?

Members should receive the living allowance and other benefits that were associated with their original service terms. In addition, the Agency strongly encourages programs to provide members with retroactive living allowances and any childcare benefit or other benefits they are eligible for, for the time period they were exited in April 2025 to the point of their reinstatement. It is up to the program to decide how to disburse these benefits (lump sum, even distribution, etc.).

How should I credit the time from a member’s exit due to the April 2025 termination?

Programs should credit members for the hours they would have served from the time of their exit to their return to service. It is a program decision about how to do this. For example, if a members’ service agreement stipulated they would serve **XX** number of hours per week, the program should credit up to that threshold. If no set hours were included in the member’s service agreement, the program may use an average number of hours. These credit hours and the rationale for determining the number of hours to credit should be clearly documented in the program’s timekeeping system as time credited due to



program termination. The rationale and calculations showing the hours credited should also be included as a memo to file in the individual's member file.

What if a member's original term of service has expired or will expire before the program is able to return them to service?

Programs should exit these members as successfully completing service with the exit date of their original term of service. The Agency strongly encourages programs to provide these members with retroactive living allowances and childcare payments for the time they were exited to their service term exit date.

What if the member is unwilling or unable to return to service or is unresponsive by the August 1 deadline?

If the member is unwilling or unable to return to service or is unresponsive by the August 1 deadline:

- Exit the reinstated members according to their original service term end date **or** August 1, whichever is **earliest**.
- Programs should credit members for the hours they would have served **FROM** the time of their exit due to program termination **TO** their original service term end date **or** August 1, whichever is **earliest**.
 - These credit hours and the rationale for determining the number of hours to credit should be clearly documented in the program's timekeeping system as time credited due to program termination. The rationale and calculations showing the hours credited should also be included as a memo to file in the individual's member file.
 - Example: Member was exited due to program termination on April 30. Their original service term end date is September 15. Because August 1 is earlier than September 15, the program should credit the member for hours they would have served from April 30 to August 1.
- The Agency strongly encourages programs to pay members retroactive living allowances and childcare payments for the time they were exited due to program terminations to their original service term end date **or** August 1, whichever is **earliest**. It is a program decision about how to do this (see above FAQ).
- Record the total number of hours earned and the credited hours in eGrants. Exit for compelling personal circumstances due to the individual's unwillingness or inability to return to service.

What if my program is no longer operating?

Commissions must send the Agency a list of programs that are no longer operating no later than **5:00 E.T., Monday, June 30**. This information must be submitted as an Excel spreadsheet and include the subapplicant's application ID, organization name and program name. Commissions must submit this information to the ASNInformation@americorps.gov mailbox.

If your program is no longer operating, any remaining program staff/representative or commission staff should:

- Exit the reinstated members according to their original service term end date **or** August 1, whichever is **earliest**.



- Programs should credit members for the hours they would have served from the time of their exit due to program termination to their original service term end date **or** August 1, whichever is **earliest**.
 - These credit hours and the rationale for determining the number of hours to credit should be clearly documented in the program's timekeeping system as time credited due to program termination.
- The Agency strongly encourages programs to pay members retroactive living allowances and childcare payments for the time they were exited due to program terminations to their original service term end date **or** August 1, whichever is **earliest**. It is a program decision about how to do this (see above FAQ).
- Record the total number of hours earned and the credited hours in eGrants. Exit for compelling personal circumstances in accordance with practice for exiting members for compelling personal circumstances any time a program ceases operating.

What Segal Education Award will members receive?

Members who return to and complete their original term of service will receive the full Segal Education Award amount appropriate for their term.

Members who are unable or unwilling to return to service, or members whose program is no longer operating, will receive the full or prorated Segal Education Award amount according to their exit date. These members' exit dates are either their original exit date **or** August 1 (see above). These members' total hours should reflect the hours served and the hours credited for time the member would have served between the exit due to program termination to their original service term exit end date or August 1, whichever is **earliest**.

What if I did not exit my members?

If you did not exit your members despite the program being terminated, you should still follow the guidance above to determine whether members are willing and able to return to active service, return to active service those who are willing and able, and exit those members who are unwilling, unable, or unresponsive in accordance with the directions above.

I am trying to exit my members according to this guidance and am getting an error message in eGrants. What should I do?

You will need assistance to exit members who have used all or part of their Segal Education Awards. Guidance on how to exit members in this specific circumstance will be forthcoming.

May I request FY 2024 No Cost Slots?

No. The Agency will not award any FY 2024 no cost slots.



NCCC FAQ

When and how will NCCC be reactivated?

AmeriCorps NCCC contacted all NCCC members who were exited from service due to the April 2025 demobilization. For those members who can be feasibly reinstated to service, NCCC provided them with a deadline of June 20 to confirm that they are willing and able to return to service. Responses received after the deadline are being received this week and being included.

All reinstating NCCC members will be credited with service hours for the time from the April 2025 demobilization to their reinstatement.

Members who indicate that they are willing and able to return to service will be returned to service if their scheduled end of service (i.e., graduation) date was after August 1. **AmeriCorps NCCC plans to have these members returned to service by mid-August.** Members who did not respond to our survey, or who indicated they were not interested in reinstating, will have their exit dates updated to the date that they were required to have responded to our survey indicating interest in reinstatement.

NCCC members whose scheduled end of service date is prior to August 1 will be exited with a date that matches their original graduation date, and their allowance amounts and Education Awards will be adjusted accordingly. Information about exit dates and circumstances for these members will be communicated to them by the NCCC program.

These varying approaches are necessary given the time it would take to secure housing, develop projects, coordinate with FEMA, the co-implementation partner for the NCCC FEMA Corps program, and other operational constraints, as well as the fact that some NCCC members would already have graduated by the time reinstatement could have been offered. These members will receive living allowance payments for the period after demobilization and until their scheduled graduation dates.